



Technical Assistance Bulletin

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Division of Special Education/Early Intervention Services

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| Birth-4 | ✓ | Birth-K | Age 3-K | Age 3-21 | Birth-21 |
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The Early Intervention Record: Transfer and Release

The term “**early intervention record**” is defined in COMAR 13A.13.01.03 (14):

Early intervention record means any personally identifiable information about a child or the child's family generated by the early intervention system, and which pertains to evaluation and assessment, development of an individualized family service plan, or delivery of early intervention services.

The early intervention system under Part C provides families with procedural safeguards related to their child's Early Intervention Record (EIR). These procedural safeguards should be followed, when a family with a child receiving early intervention services moves from one local jurisdiction to another or moves into or out of Maryland, in order to promote seamless, coordinated early intervention services.

Each child and family participating in the Maryland Infants and Toddlers Program (MITP), starting with referral, must have an Early Intervention Record. When a child and family move within Maryland it is referred to as a “**transfer**” of the Early Intervention Record. When a child and family move out of or into Maryland it is referred to as a “**release**” of the Early Intervention Record. Redetermination of eligibility is not required when a child moves from one local jurisdiction to another in Maryland. However, when a child and family move out of or into Maryland it is necessary to determine eligibility for Part C early intervention services because states have differing eligibility criteria.

Transfer of the Early Intervention Record

The following is a detailed description of the steps to be followed when transferring an Early Intervention Record from one jurisdiction (sending) to another jurisdiction (receiving) within Maryland.

STEP 1: FAMILY NOTIFIES LOCAL INFANTS AND TODDLERS (LITP) PROGRAM OF INTENT TO RELOCATE

Each LITP is part of the State's early intervention system; thus, consent is not required to transfer the early intervention record to another LITP in the State of Maryland (34 CFR §303.414(b)). Upon receipt of a request by the family for transfer of the EIR, the local service coordinator reviews with the family the current EIR to ensure that all of the required documents are in the folder, the information is readable, and the family is aware of what is to be transferred. The service coordinator documents this activity in the service coordinator's notes. If there is a disagreement regarding the existing record and what is to be transferred a parent should be informed of their procedural safeguards regarding amending the EIR.

STEP 2: STAFF FROM THE SENDING LITP CONTACTS THE NEW LITP

The sending service coordinator contacts the receiving LITP contact person and prepares the original folder to be sent to the new LITP. Verification of the contact person and address is completed at this time. The sending service coordinator records the name of this individual in their service coordination notes.

STEP 3: TIME FRAME FOR TRANSFER OF THE EARLY INTERVENTION RECORD FOLDER

The parent confirms the last date the child and family are receiving services in that jurisdiction and the service coordinator documents the date within the contact notes. Within **five (5) working days** of the last day services were received, the service coordinator (sending) forwards the original EIR folder to the new LITP contact person (receiving) by mail (return receipt requested). The sending jurisdiction retains a hard copy of the EIR for a period of six (6) years.

STEP 4: COMPLETION OF THE DATA ADD/CHANGE FORM

The Data Add/Change form is an important step in completing a child and family's transfer from one local infants and toddlers program to another. The Child Status should be recorded as Inactive-Moved to Another Jurisdiction, if the child and family are moving to another jurisdiction in Maryland. The last day the child and family received services should be recorded as the Inactive Date.

STEP 5: TRANSFERRING THE ELECTRONIC EARLY INTERVENTION RECORD

Navigate to the “*Child Status*” Page in the child’s early intervention record within the Maryland Online IFSP database. Then:

- Change “Case Status” to “Inactive”;
- Select “Moved to Another Jurisdiction (Birth Age 4)” in the “*Child Status*” field;
- Enter the inactive date in the “*Inactive Date*” field; and
- Click the “*Save Changes*” Button.

Once the changes have been saved successfully:

- Click “*Change*” in the “*Current Jurisdiction*” field;
- Select the jurisdiction you are moving the record to;
- Click “*Select*” (Note: Once you click on the “Select” button you will get a pop up window that says “*Are you sure you want to move the child? If you click OK and Save the record you will no longer be able to edit the record.*”);
- Click “*OK*”; and
- Click on “*Save Changes*”. The electronic Early Intervention Record has now been moved to the receiving jurisdiction.

Guidelines for the transfer of records when the local jurisdiction receives initial notification from the parent that the family has relocated to that jurisdiction:

In some cases, a parent may inform a LITP that the family has moved from another Maryland jurisdiction in which the child and family were receiving early intervention services. A service coordinator from the new jurisdiction should contact the service coordinator from the original jurisdiction to indicate that the family has relocated and is requesting that early intervention services continue to be provided in accord with an IFSP. Within five (5) working days of parent notification, the service coordinator should request the Early Intervention Record from the original jurisdiction where IFSP services were delivered. The service coordinator from the original jurisdiction should complete the transfer request within five (5) working days.

Release of the Early Intervention Record

When a request for the EIR is made from an **out of state early intervention provider**, the out-of-state service contact person should obtain a signed parental consent form for release of the EIR. Parental consent is required for release of early intervention records outside of the State system. The consent form should be mailed to the local jurisdiction from which the record is being requested. Within **five (5) working days** of receipt of the parental consent form for release of the record, a **duplicate record** should be forwarded by mail (return receipt requested) to the out-of-state early intervention program. The sending Maryland local jurisdiction should maintain the original EIR for a period of **six (6) years**.

When an LITP is requesting an EIR from another state the local service coordinator should obtain a signed parental consent form for release of the EIR. The consent form should be mailed to the out-of-state early intervention program requesting release of the EIR. If the EIR is not received within ten (10) working days, the local service coordinator should follow-up with the out-of-state early intervention program.

Maintenance of Inactive EIR Information After Transfer or Release of the EIR

The sending local jurisdiction of the early intervention record should maintain a hard copy and an inactive record in the data system for a period of six **(6) years**. The collection, maintenance, distribution, and destruction of early intervention records are subject to the requirements of many different statutes. At the federal level are the Family Educational Rights and Privacy Regulations (FERPA), the Federal Educational Department General Regulations (EDGAR), the Individuals with Disabilities Education Regulations (IDEA), and the Early Intervention Program for Infants and Toddlers with Disabilities Regulations (Part C). Additional requirements are imposed by individual State agencies.

Local Procedures for Transfer and Release of Records

The LITP should develop and maintain written procedures involving transfer and release of early intervention records for infants and toddlers who are entering or leaving the early intervention system. These procedures must be consistent with this TA bulletin.

For more information, call 410-767-0249

MARYLAND STATE DEPARTMENT OF EDUCATION
Division of Special Education/Early Intervention Services
200 West Baltimore Street
Baltimore, MD 21201

Jack R. Smith, Ph.D.
Interim State Superintendent of Schools

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/Early Intervention Services

Larry Hogan
Governor

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